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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CR No. 07-796-JSW
	)	
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del> ORDER
	)	EXCLUDING TIME UNDER 18 U.S.C. § 3161
v.	)	
	)	
JULIO CESAR REBOLLAR	)	
a/k/a Julio Nevarro-Rebollar,	)	
a/k/a Javier Reyes Hernandez,	)	
	)	
Defendant.	)	

On December 19, 2007, the parties in this case appeared before the Court and stipulated that time from December 19, 2007 through January 3, 2008 should be excluded from Speedy Trial Act calculations because defense counsel needs adequate time to review discovery, which government counsel will produce. The parties represented to the Court that the length of the requested continuance was the reasonable amount of time necessary for effective preparation of defense counsel, taking into account the exercise of due diligence. 18 U.S.C. §

3161(h)(8)(B)(iv). The parties also agreed that the ends of justice served by this continuance outweighed the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

SO STIPULATED:

SCOTT N. SCHOOLS  
United States Attorney

DATED: January 3, 2008

/s/  
TAREK J. HELOU  
Assistant United States Attorney

DATED: January 3, 2008

/s/  
DANIEL BLANK  
Attorney for Defendant JUAN HERRERA-SANTOS

As the Court found on December 19, 2007, and for the reasons stated above, the Court finds that the ends of justice served by the requested continuance outweigh the best interests of the public and the defendant in a speedy trial. The Court also finds that time from December 19, 2007 through January 3, 2008 shall be excluded from Speedy Trial Act calculations for effective preparation of defense counsel. 18 U.S.C. § 3161(h)(8)(A). Failing to grant the requested continuance would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(B)(iv).

SO ORDERED.

DATED: January 10, 2008

  
THE HONORABLE MARIA-ELENA JAMES  
United States Magistrate Judge